

Application No. 09/996,438
Filing Date: November 20, 2001
Docket No. 5724-03-BHJ

Remarks

Claims 1, 32-33, 35-38, 39-42 and 44-53 are rejected under 35 USC §103(a) over Keown et al, WO 95/11034. Claims 1, 32-33, 35-38, 39-42 and 44-53 are rejected under 35 USC §103(a) as being obvious over Nichols et al, WO97/37689. Applicants traverse each of these rejections.

Applicants amended claim 1 and claims 32-53 to be consistent with amended claim 1 solely for the purpose of including the proper dependencies. Applicants have added claim 54 to further define an embodiment of the present invention. Applicants submit that no new matter has been added by these amendments.

Applicants submit that neither Keown nor Nichols disclose or teach the claimed embodiments of Applicants' invention. Accordingly, Applicants respectfully submit that withdrawal of the rejections is appropriate and that the application is in condition for allowance.

Applicants submit that they will submit a terminal disclaimer upon notification of allowance to overcome the obviousness type double patenting rejection over US 6,359,011.

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Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Barry H. Jacobsen", written over a horizontal line.

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